

EXHIBIT 2

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Bitmain Technologies, Ltd.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO**

GOR GEVORKYAN, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

BITMAIN, INC., BITMAIN
TECHNOLOGIES, LTD. and DOES 1
to 10,

Defendants.

Case No.: 3:18-cv-07004-JD

**DEFENDANT BITMAIN
TECHNOLOGIES, LTD.'S
RESPONSES AND OBJECTIONS
TO PLAINTIFF GOR
GEVORKYAN'S FIRST SET OF
REQUESTS FOR PRODUCTION
OF DOCUMENTS PURSUANT
TO FED. R. CIV. P. 34**

PROPOUNDING PARTY: Plaintiff Gor Gevorkyan

RESPONDING PARTY: Defendant Bitmain Technologies, Ltd.

SET NUMBER: One (Nos. 1-21)

1 Defendant Bitmain Technologies, Ltd. (“Bitmain Hong Kong”) submits these
2 responses and objections to Plaintiff Gor Gevorkyan’s (“Plaintiff”) (together with
3 Bitmain Hong Kong, the “Parties”) First Set of Requests for Production of
4 Documents, dated January 6, 2020 (the “Requests”).

5 **PRELIMINARY STATEMENT**

6 1. Especially in light of the coronavirus epidemic currently sweeping
7 through China, Bitmain Hong Kong has not yet completed its investigation into all
8 the facts underlying or supporting the claims or defenses at issue in this lawsuit.
9 Bitmain Hong Kong responds to the Requests in accordance with Bitmain Hong
10 Kong’s knowledge at this time. Bitmain Hong Kong is continuing to search for
11 documents responsive to the Requests and reserves the right to supplement, amend,
12 or correct its responses with additional information or documents. To the extent the
13 Requests purport to require more, Bitmain Hong Kong objects on the ground that
14 (a) the Requests seek to compel Bitmain Hong Kong to conduct a search beyond
15 the scope of permissible discovery contemplated by the Federal Rules of Civil
16 Procedure and (b) compliance with the Requests would impose an undue burden
17 and expense on Bitmain Hong Kong.

18 2. Bitmain Hong Kong has made diligent and reasonable efforts to
19 respond to each and every request to the extent it has not been objected to, as
20 Bitmain Hong Kong understands and interprets the request. If Plaintiff
21 subsequently asserts an interpretation of any request that differs from that of
22 Bitmain Hong Kong, Bitmain Hong Kong reserves the right to supplement its
23 objections and/or responses.

24 3. By responding to the Requests, Bitmain Hong Kong does not concede
25 that the documents sought are relevant to the Parties’ claims or defenses.
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1 4. Bitmain Hong Kong's responses and objections are made without
2 waiving or intending to waive, but, to the contrary, preserving and intending to
3 preserve:

4 (a) all objections to the authenticity, competency, foundation,
5 relevance, materiality, privilege, and admissibility as evidence for any purpose, at
6 any trial or hearing in the above-captioned action or in any related or subsequent
7 action or proceeding, of the documents identified in response to the Requests;

8 (b) the right to object on any grounds to the use or introduction into
9 evidence of these responses at any trial or hearing in the above-captioned action or
10 in any related or subsequent action or proceeding;

11 (c) the right to object on any grounds at any time to any other
12 request; and

13 (d) the right at any time to revise, amend, supplement, or correct the
14 responses and objections provided herein.

15 5. Nothing in Bitmain Hong Kong's responses to the Requests should be
16 construed as an admission regarding the truth or accuracy of any statement or
17 characterization in any such request, or the existence of any document, or the
18 relevance or admissibility of any document or portion thereof.

19 6. Bitmain Hong Kong's responses and objections to the Requests or any
20 part thereof do not constitute a representation that responsive documents exist, but
21 only that responsive documents will be disclosed if they exist, can be discovered
22 with reasonable diligence, and are not otherwise objected to, or protected from
23 disclosure.

24 **GENERAL OBJECTIONS**

25 1. Bitmain Hong Kong objects to each and every Request to the extent
26 that it seeks disclosure of information and documents located in China where such
27 disclosure would violate Chinese state secrecy, privacy, and cyber security laws,
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1 including the *People's Republic of China's General Rules of Civil Law*, Articles
 2 110 and 111; *Criminal Law*, Article 111; *Tort Liability Law*, Article 2; *Protecting*
 3 *State Secrets Law*, Articles 2, 3, and 9; *Archives Law*, Articles 18 and 25;
 4 *Implementing Rules of the PRC Law on Protecting State Secrets*, Articles 5 and 21;
 5 *Cyber Security Law*, Article 37; or the PRC's acceptance of and reservations to the
 6 *Convention on the Taking of Evidence Abroad in Civil or Commercial Matters*
 7 1972 (the "Hague Convention").

8 2. Bitmain Hong Kong objects to the Requests insofar as they seek
 9 documents concerning matters unrelated to the limited scope of jurisdictional
 10 discovery the Court permitted at the December 19, 2019 hearing on Bitmain Hong
 11 Kong's motion to dismiss for lack of personal jurisdiction ("Hearing").

12 2. Bitmain Hong Kong objects to the Requests insofar as they seek
 13 documents that are protected from disclosure by the attorney-client privilege, the
 14 work product doctrine, the common interest privilege, the self-evaluation privilege,
 15 the self-critical analysis privilege, the self-audit privilege, the trial preparation
 16 privilege as set forth in Fed. R. Civ. P. 26(b)(3)–(5), or any other statutory or
 17 common law privilege, immunity, rule of privacy or confidentiality, protection, or
 18 restriction that protects such documents from involuntary disclosure or production,
 19 including the settlement privilege. Bitmain Hong Kong will not disclose
 20 documents covered by one or more such privileges, immunities, or rules. To the
 21 extent that Bitmain Hong Kong inadvertently discloses documents that arguably
 22 may be protected from disclosure under any applicable privilege or immunity under
 23 federal or state law, such inadvertent disclosure shall not constitute a waiver of any
 24 privilege or any other grounds for objecting to discovery of such material, its
 25 subject matter or information contained therein, or of Bitmain Hong Kong's right to
 26 object to the use of such material during any later proceeding or otherwise seek
 27 return of the disclosed material. For the purposes of responding to the Requests,
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1 Bitmain Hong Kong will interpret each definition, instruction, and request as
2 excluding such material from disclosure.

3 3. Bitmain Hong Kong objects to the Requests to the extent that they
4 seek to impose on Bitmain Hong Kong any obligation different from, inconsistent
5 with, or in addition to, those imposed by the Federal Rules of Civil Procedure, the
6 local rules of the District Court for the Northern District of California, the Standing
7 Orders of the Honorable James Donato, or any other applicable rules, laws, or
8 orders.

9 4. Bitmain Hong Kong objects to the Requests to the extent that they
10 seek documents (i) in the possession, custody, or control of other persons or
11 entities, (ii) not presently in the possession, custody, or control of Bitmain Hong
12 Kong, (iii) already in the possession of, or equally available to, Plaintiff, or (iv) that
13 may be obtained from other sources or through other means of discovery that are
14 more convenient, more efficient, more practical, less burdensome, or less
15 expensive.

16 5. Bitmain Hong Kong objects to any individual request to the extent that
17 it is duplicative or cumulative of one or more individual requests that precede it or
18 any prior discovery served by Plaintiff. Any objections asserted, general or
19 specific, to any discovery request served in this action shall be deemed to apply
20 equally to the Requests as well as any other preceding or subsequent discovery
21 request.

22 6. Bitmain Hong Kong objects to the Requests to the extent that they
23 purport to require Bitmain Hong Kong to search for and disclose, or derive request
24 responses from, electronically-stored documents from sources that are not
25 reasonably accessible in light of the amount in controversy of Plaintiff's claim
26 because of undue burden or cost, as set forth in Fed. R. Civ. P. 26(b)(2)(B).
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1 7. Bitmain Hong Kong objects to the Requests to the extent that they
2 seek information, materials, or documents that are confidential or proprietary in
3 nature, or that otherwise constitute protected commercial, strategic, financial, or
4 competitively-sensitive or trade-secret information. To the extent that such relevant
5 and responsive documents exist, Bitmain Hong Kong will disclose such documents
6 only upon the execution of, and subject to the conditions contained in, an
7 appropriate protective order. Nothing above is intended to waive, and Bitmain
8 Hong Kong expressly reserves, all rights to assert that some documents are so
9 sensitive or irrelevant to Plaintiff's claim that they should not be disclosed at all.

10 8. Bitmain Hong Kong objects to the Requests to the extent that they
11 purport to require the disclosure of documents, which disclosure would violate (i)
12 any court order, contract, or agreement obligating Bitmain Hong Kong to keep
13 documents confidential, or (ii) any rights of privacy or other statutory or judicially-
14 recognized protections.

15 9. Bitmain Hong Kong objects to the Requests to the extent that they call
16 for a legal conclusion. Any response by Bitmain Hong Kong shall not be construed
17 as providing a legal conclusion regarding the meaning or application of any terms
18 or phrases used in the Requests.

19 10. Bitmain Hong Kong objects to each topic in the Requests to the extent
20 that they contain multiple subparts or that the definitions or instructions render the
21 topic compound, unintelligible, or otherwise confusing.

22 11. Bitmain Hong Kong objects to the Requests to the extent that they (i)
23 imply the existence of facts or circumstances that do not or did not exist or (ii) state
24 or assume legal or factual conclusions. By responding, Bitmain Hong Kong does
25 not admit any of Plaintiff's factual or legal premises.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

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2 1. Bitmain Hong Kong objects to Plaintiff's "Instructions" to the extent
3 they seek to impose any obligation or burden on Bitmain Hong Kong different
4 from, inconsistent with, or in addition to, those imposed by the Federal Rules of
5 Civil Procedure, the local rules of the District Court for the Northern District of
6 California, the Standing Orders of the Honorable James Donato, or any other
7 applicable rules, laws, or orders.

8 2. Bitmain Hong Kong objects to the definition of "CLASS PERIOD" to
9 the extent it suggests that a class has been or should be certified in this case.
10 Bitmain Hong Kong also objects to this definition insofar as the time period
11 proposed is overbroad and unduly burdensome.

12 3. Bitmain Hong Kong objects to the definition of
13 "COMMUNICATION" as overbroad, unduly burdensome, vague, and ambiguous.
14 Bitmain Hong Kong will construe "COMMUNICATION" as it is commonly
15 understood in ordinary English.

16 4. Bitmain Hong Kong objects to the definition of "DOCUMENT" as
17 overbroad, unduly burdensome, vague, indefinite, ambiguous, and not reasonably
18 calculated to lead to the discovery of admissible evidence. Bitmain Hong Kong
19 will construe "DOCUMENT" to have the same meaning as set forth in Fed. R. Civ.
20 P. 34(a)(1)(A)—i.e., writings, drawings, graphs, charts, photographs, sound
21 recordings, images, and other data or data compilations—aided by how that term is
22 commonly understood in ordinary English. Bitmain Hong Kong further objects to
23 the definition of "DOCUMENT" to the extent that it purports to require Bitmain
24 Hong Kong to search for, produce, and identify every iteration of a document where
25 it would be unduly burdensome to do so. Bitmain Hong Kong agrees only to
26 conduct a reasonable and diligent search in good faith to discover and produce
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1 relevant and material facts and/or information properly sought by the
2 Interrogatories.

3 5. Bitmain Hong Kong objects to the definitions of “BITMAIN,”
4 “YOU,” “YOUR” and “DEFENDANT” as overly broad, unduly burdensome,
5 vague, indefinite, ambiguous, and not relevant to the limited scope of the Court-
6 ordered jurisdictional discovery. Specifically, these definitions encompass, without
7 regard to their connection to the limited scope of the Court-ordered jurisdictional
8 discovery, Bitmain Hong Kong’s “past and present parents, subsidiaries, affiliates,
9 predecessors, successors, employees, independent contractors, officers, directors,
10 agents, vendors, accountants, and all other PERSONS or entities acting on its
11 behalf or under its direct or indirect control.” Thus, Plaintiff’s use of this definition
12 renders any request in which these terms appear overbroad and unduly burdensome
13 and results in requests that seek documents not relevant to the limited scope of
14 jurisdictional discovery, not within Bitmain Hong Kong’s knowledge, possession,
15 custody, or control, and protected from disclosure by the attorney-client privilege,
16 the work product doctrine, or any other applicable privilege or protection. Thus, in
17 responding to the Requests, Bitmain Hong Kong will construe “BITMAIN,”
18 “YOU,” “YOUR” and “DEFENDANT” to mean only Bitmain Technologies, Ltd.,
19 the defendant in this action.

20 6. Bitmain Hong Kong objects to the definition of “WAGE
21 STATEMENT” as overbroad, unduly burdensome, vague, and ambiguous. Bitmain
22 Hong Kong will construe this term as it is commonly understood in ordinary
23 English.

24 7. Bitmain Hong Kong objects to the definition of “CONCERNING” as
25 overbroad, unduly burdensome, vague, and ambiguous. Bitmain Hong Kong will
26 construe this term as it is commonly understood in ordinary English.

REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 1:

Exemplars of all WAGE STATEMENTS of Peng Li and Sherry Xie.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Bitmain Hong Kong incorporates by reference each of the above stated general objections as if fully set forth herein. Bitmain Hong Kong objects to this Request on the grounds that it is overly broad and seeks information not proportional to the needs of the case to the extent it seeks documents beyond what is necessary to establish whether jurisdiction exists over Bitmain Hong Kong. Specifically, this Request seeks information about wage statements from Peng Li and Sherry Xie, yet nothing in the record suggests Plaintiff ever was in contact with Peng Li or Sherry Xie prior to purchasing the ASIC devices that are the subject of this action. The Ninth Circuit employs the “but-for” test in deciding whether an alleged contact with the forum state meets the nexus element of the three-pronged specific jurisdiction analysis. *Erickson v. Neb. Mach. Co.*, 2015 WL 4089849, at *4 (N.D. Cal. July 6, 2015) (Donato, J.) (“The Ninth Circuit has held that claims ‘arise out of’ contacts with the forum state if, but for those contacts, the claim would not have arisen.”). If Plaintiff was not in contact with Peng Li or Sherry Xie prior to his purchases of ASIC devices that are the subject of this action, then his claims could not have “arisen out of” this alleged contact with the forum state. Bitmain Hong Kong further objects to this Request to the extent that it is vague and ambiguous in that it does not define certain terms with reasonable particularity. Specifically, the reference to “WAGE STATEMENT” is uncertain, indefinite, and unclear. In addition, the request for “Exemplars” of “all” wage statements inherently conflicts and is therefore vague and ambiguous. Further, this Request incorrectly assumes that Peng Li and Sherry Xie are Bitmain Hong Kong employees.

1 Subject to and without waiving the foregoing general and specific objections
 2 and objections to definitions and instructions, Bitmain Hong Kong responds that it
 3 does not have documents responsive to this Request.

4 **REQUEST FOR PRODUCTION NO. 2:**

5 Exemplars of all WAGE STATEMENTS of Bitmain Sales Specialists
 6 referred to in Dkt. No. 35-4.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

8 Bitmain Hong Kong incorporates by reference each of the above stated
 9 general objections as if fully set forth herein. Bitmain Hong Kong objects to this
 10 Request on the grounds that it is overly broad and seeks information not
 11 proportional to the needs of the case to the extent it seeks documents beyond what
 12 is necessary to establish whether jurisdiction exists over Bitmain Hong Kong.
 13 Specifically, this Request seeks information about wage statements from “sales
 14 specialists,” yet nothing in the record suggests Plaintiff ever was in contact with
 15 sales specialists prior to purchasing the ASIC devices that are the subject of this
 16 action. The Ninth Circuit employs the “but-for” test in deciding whether an
 17 alleged contact with the forum state meets the nexus element of the three-pronged
 18 specific jurisdiction analysis. *Erickson v. Neb. Mach. Co.*, 2015 WL 4089849, at
 19 *4 (N.D. Cal. July 6, 2015) (Donato, J.) (“The Ninth Circuit has held that claims
 20 ‘arise out of’ contacts with the forum state if, but for those contacts, the claim
 21 would not have arisen.”). If Plaintiff was not in contact with sales specialists prior
 22 to his purchases of ASIC devices that are the subject of this action, then his claims
 23 could not have “arisen out of” this alleged contact with the forum state. Bitmain
 24 Hong Kong further objects to this Request to the extent that it is vague and
 25 ambiguous in that it does not define certain terms with reasonable particularity.
 26 Specifically, the reference to “WAGE STATEMENT” is uncertain, indefinite, and
 27 unclear. In addition, the request for “Exemplars” of “all” wage statements
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1 inherently conflicts and is therefore vague and ambiguous. Bitmain Hong Kong
 2 further objects to this Request to the extent it implies the existence of facts or
 3 circumstances that do not or did not exist. Specifically, this Request incorrectly
 4 assumes a sales specialist was ever hired based on the alleged employment
 5 solicitation referred to in Dkt. No 35-4.

6 Subject to and without waiving the foregoing general and specific objections
 7 and objections to definitions and instructions, Bitmain Hong Kong responds that it
 8 does not have documents responsive to this Request.

9 **REQUEST FOR PRODUCTION NO. 3:**

10 DOCUMENTS sufficient to identity [sic] all of the entities that created
 11 and/or posted the Sales Specialist job posting on LinkedIn.com referred to in Dkt.
 12 No. 35-4.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

14 Bitmain Hong Kong incorporates by reference each of the above stated
 15 general objections as if fully set forth herein. Bitmain Hong Kong objects to this
 16 Request to the extent it seeks documents containing information protected by the
 17 attorney-client privilege, the work product doctrine, and/or any other applicable
 18 privilege. Bitmain Hong Kong further objects to this Request on the grounds that
 19 it is overly broad and seeks information not proportional to the needs of the case to
 20 the extent it seeks documents beyond what is necessary to establish whether
 21 jurisdiction exists over Bitmain Hong Kong. Specifically, this Request seeks
 22 information about wage statements from “sales specialists,” yet nothing in the
 23 record suggests Plaintiff ever was in contact with sales specialists prior to
 24 purchasing the ASIC devices that are the subject of this action. The Ninth Circuit
 25 employs the “but-for” test in deciding whether an alleged contact with the forum
 26 state meets the nexus element of the three-pronged specific jurisdiction analysis.
 27 *Erickson v. Neb. Mach. Co.*, 2015 WL 4089849, at *4 (N.D. Cal. July 6, 2015)
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(Donato, J.) (“The Ninth Circuit has held that claims ‘arise out of’ contacts with the forum state if, but for those contacts, the claim would not have arisen.”). If Plaintiff was not in contact with sales specialists prior to his purchases of ASIC devices that are the subject of this action, then his claims could not have “arisen out of” this alleged contact with the forum state. Accordingly, Bitmain Hong Kong will not produce documents responsive to this Request unless and until Plaintiff produces evidence sufficient to demonstrate that his claims arise from contact with sales specialists, and thus that information about sales specialists is necessary to establish whether jurisdiction exists over Bitmain Hong Kong. Bitmain Hong Kong further objects to this Request to the extent that it is vague and ambiguous in that it does not define certain terms with reasonable particularity. Specifically, the reference to “DOCUMENTS” is uncertain, indefinite, and unclear.

Subject to and without waiving the foregoing general and specific objections and objections to definitions and instructions, Bitmain Hong Kong is willing to meet and confer with Plaintiff on how documents responsive to this request would establish jurisdiction and, if appropriate, what scope and form the production of responsive documents or information should take.

REQUEST FOR PRODUCTION NO. 4:

All DOCUMENTS concerning the job responsibilities and workplace procedures of Bitmain Sales Specialists referred to in Dkt. No. 35-4 and their supervisors.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4:

Bitmain Hong Kong incorporates by reference each of the above stated general objections as if fully set forth herein. Bitmain Hong Kong objects to this Request to the extent it seeks documents containing information protected by the attorney-client privilege, the work product doctrine, and/or any other applicable

1 privilege. Bitmain Hong Kong further objects to this Request on the grounds that
2 it is overly broad and seeks information not proportional to the needs of the case to
3 the extent it seeks documents beyond what is necessary to establish whether
4 jurisdiction exists over Bitmain Hong Kong. Specifically, this Request seeks
5 information about job responsibilities and workplace procedures for “sales
6 specialists,” yet nothing in the record suggests Plaintiff ever was in contact with
7 sales specialists prior to purchasing the ASIC devices that are the subject of this
8 action. The Ninth Circuit employs the “but-for” test in deciding whether an
9 alleged contact with the forum state meets the nexus element of the three-pronged
10 specific jurisdiction analysis. *Erickson v. Neb. Mach. Co.*, 2015 WL 4089849, at
11 *4 (N.D. Cal. July 6, 2015) (Donato, J.) (“The Ninth Circuit has held that claims
12 ‘arise out of’ contacts with the forum state if, but for those contacts, the claim
13 would not have arisen.”). If Plaintiff was not in contact with sales specialists prior
14 to his purchases of ASIC devices that are the subject of this action, then his claims
15 could not have “arisen out of” this alleged contact with the forum state. Bitmain
16 Hong Kong further objects to this Request to the extent that it is vague and
17 ambiguous in that it does not define certain terms with reasonable particularity.
18 Specifically, the references to “DOCUMENTS,” “job responsibilities,” and
19 “workplace procedures” are uncertain, indefinite, and unclear; and the terms “job
20 responsibilities” and “workplace procedures” are undefined. Bitmain Hong Kong
21 further objects to this Request to the extent it implies the existence of facts or
22 circumstances that do not or did not exist. Specifically, this Request incorrectly
23 assumes a sales specialist was ever hired based on the alleged employment
24 solicitation referred to in Dkt. No 35-4.

25 Subject to and without waiving the foregoing general and specific objections
26 and objections to definitions and instructions, Bitmain Hong Kong responds that it
27 does not have documents responsive to this Request.
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REQUEST FOR PRODUCTION NO. 5:

DOCUMENTS sufficient to identity [sic] all of the entities and persons that created, maintained, and/or provided content for the YouTube channel referred to as “Bitmain Technologies [sic] Ltd’s [sic] Official YouTube channel” referred to in Dkt. No. 35-8.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

Bitmain Hong Kong incorporates by reference each of the above stated general objections as if fully set forth herein. Bitmain Hong Kong objects to this Request on the grounds that it is overly broad and seeks information not proportional to the needs of the case to the extent it seeks documents beyond what is necessary to establish whether jurisdiction exists over Bitmain Hong Kong. Specifically, this Request seeks information about a YouTube channel, yet nothing in the record suggests Plaintiff ever viewed the YouTube channel prior to purchasing the ASIC devices that are the subject of this action. The Ninth Circuit employs the “but-for” test in deciding whether an alleged contact with the forum state meets the nexus element of the three-pronged specific jurisdiction analysis. *Erickson v. Neb. Mach. Co.*, 2015 WL 4089849, at *4 (N.D. Cal. July 6, 2015) (Donato, J.) (“The Ninth Circuit has held that claims ‘arise out of’ contacts with the forum state if, but for those contacts, the claim would not have arisen.”). If Plaintiff did not view the YouTube channel prior to his purchases of ASIC devices that are the subject of this action, then his claims could not have “arisen out of” this alleged contact with the forum state. Accordingly, Bitmain Hong Kong will not produce documents responsive to this Request unless and until Plaintiff produces evidence sufficient to demonstrate that his claims arise from the YouTube channel, and thus that information about the YouTube channel is necessary to establish whether jurisdiction exists over Bitmain Hong Kong. Bitmain Hong Kong further objects to this Request to the extent that it is vague

1 and ambiguous in that it does not define certain terms with reasonable
 2 particularity. Specifically, the references to “DOCUMENTS,” “entities,” and
 3 “persons” are uncertain, indefinite, and unclear; and the terms “entities” and
 4 “persons” are undefined.

5 Subject to and without waiving the foregoing general and specific objections
 6 and objections to definitions and instructions, Bitmain Hong Kong is willing to
 7 meet and confer with Plaintiff on how documents responsive to this request would
 8 establish jurisdiction and, if appropriate, what scope and form the production of
 9 responsive documents or information should take.

10 **REQUEST FOR PRODUCTION NO. 6:**

11 DOCUMENTS sufficient to identity [sic] all of the entities and persons that
 12 created, maintained, and/or provided content for the YouTube channel referred to as
 13 “Bitmain Support YouTube channel” referred to in Dkt. No. 35-10.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

15 Bitmain Hong Kong incorporates by reference each of the above stated general
 16 objections as if fully set forth herein. Bitmain Hong Kong objects to this Request
 17 on the grounds that it is overly broad and seeks information not proportional to the
 18 needs of the case to the extent it seeks documents beyond what is necessary to
 19 establish whether jurisdiction exists over Bitmain Hong Kong. Specifically, this
 20 Request seeks information about a YouTube channel, yet nothing in the record
 21 suggests Plaintiff ever viewed the YouTube channel prior to purchasing the ASIC
 22 devices that are the subject of this action. The Ninth Circuit employs the “but-for”
 23 test in deciding whether an alleged contact with the forum state meets the nexus
 24 element of the three-pronged specific jurisdiction analysis. *Erickson v. Neb. Mach.*
 25 *Co.*, 2015 WL 4089849, at *4 (N.D. Cal. July 6, 2015) (Donato, J.) (“The Ninth
 26 Circuit has held that claims ‘arise out of’ contacts with the forum state if, but for
 27 those contacts, the claim would not have arisen.”). If Plaintiff did not view the
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1 YouTube channel prior to his purchases of ASIC devices that are the subject of this
 2 action, then his claims could not have “arisen out of” this alleged contact with the
 3 forum state. Accordingly, Bitmain Hong Kong will not produce documents
 4 responsive to this Request unless and until Plaintiff produces evidence sufficient to
 5 demonstrate that his claims arise from the YouTube channel, and thus that
 6 information about the YouTube channel is necessary to establish whether
 7 jurisdiction exists over Bitmain Hong Kong. Bitmain Hong Kong further objects
 8 to this Request to the extent that it is vague and ambiguous in that it does not
 9 define certain terms with reasonable particularity. Specifically, the references to
 10 “DOCUMENTS,” “entities,” and “persons” are uncertain, indefinite, and unclear;
 11 and the terms “entities” and “persons” are undefined.

12 Subject to and without waiving the foregoing general and specific objections
 13 and objections to definitions and instructions, Bitmain Hong Kong is willing to
 14 meet and confer with Plaintiff on how documents responsive to this request would
 15 establish jurisdiction and, if appropriate, what scope and form the production of
 16 responsive documents or information should take.

17 **REQUEST FOR PRODUCTION NO. 7:**

18 DOCUMENTS sufficient to identity [sic] all of the entities or persons that
 19 created, maintained, and/or provided content for the following Twitter accounts:
 20 “Antminer Main” referred to in Dkt. No. 35-13 and/or “BitmainTech.”

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

22 Bitmain Hong Kong incorporates by reference each of the above stated general
 23 objections as if fully set forth herein. Bitmain Hong Kong objects to this Request
 24 on the grounds that it is overly broad and seeks information not proportional to the
 25 needs of the case to the extent it seeks documents beyond what is necessary to
 26 establish whether jurisdiction exists over Bitmain Hong Kong. Specifically, this
 27 Request seeks information about Twitter accounts, yet nothing in the record
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1 suggests Plaintiff ever viewed the Twitter accounts prior to purchasing the ASIC
 2 devices that are the subject of this action. The Ninth Circuit employs the “but-for”
 3 test in deciding whether an alleged contact with the forum state meets the nexus
 4 element of the three-pronged specific jurisdiction analysis. *Erickson v. Neb. Mach.*
 5 *Co.*, 2015 WL 4089849, at *4 (N.D. Cal. July 6, 2015) (Donato, J.) (“The Ninth
 6 Circuit has held that claims ‘arise out of’ contacts with the forum state if, but for
 7 those contacts, the claim would not have arisen.”). If Plaintiff did not view the
 8 Twitter accounts prior to his purchases of ASIC devices that are the subject of this
 9 action, then his claims could not have “arisen out of” this alleged contact with the
 10 forum state. Accordingly, Bitmain Hong Kong will not produce documents
 11 responsive to this Request unless and until Plaintiff produces evidence sufficient to
 12 demonstrate that his claims arise from the Twitter accounts, and thus that
 13 information about the Twitter accounts is necessary to establish whether
 14 jurisdiction exists over Bitmain Hong Kong. Bitmain Hong Kong further objects
 15 to this Request to the extent that it is vague and ambiguous in that it does not
 16 define certain terms with reasonable particularity. Specifically, the references to
 17 “DOCUMENTS,” “entities,” and “persons” are uncertain, indefinite, and unclear;
 18 and the terms “entities” and “persons” are undefined.

19 Subject to and without waiving the foregoing general and specific objections
 20 and objections to definitions and instructions, Bitmain Hong Kong is willing to
 21 meet and confer with Plaintiff on how documents responsive to this request would
 22 establish jurisdiction and, if appropriate, what scope and form the production of
 23 responsive documents or information should take.

24 **REQUEST FOR PRODUCTION NO. 8:**

25 DOCUMENTS sufficient to identity [sic] all of the entities and/or persons
 26 that created, maintained, and/or provided content for the following Facebook.com
 27 pages: <https://www.facebook.com/Bitmain-542277132559653/>; and/or
 28

1 https://www.facebook.com/pg/Bitmain/about/?ref=page_internal;
2 [https://www.facebook.com/pg/Bitmain-technologies-Limited-](https://www.facebook.com/pg/Bitmain-technologies-Limited-314165025425279/about/?ref=page_internal;)
3 [314165025425279/about/?ref=page_internal;](https://www.facebook.com/pg/Bitmain-technologies-Limited-314165025425279/about/?ref=page_internal;) [sic]

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

5 Bitmain Hong Kong incorporates by reference each of the above stated general
6 objections as if fully set forth herein. Bitmain Hong Kong objects to this Request
7 on the grounds that it is overly broad and seeks information not proportional to the
8 needs of the case to the extent it seeks documents beyond what is necessary to
9 establish whether jurisdiction exists over Bitmain Hong Kong. Specifically, this
10 Request seeks information about Facebook.com pages, yet nothing in the record
11 suggests Plaintiff ever viewed the Facebook.com pages prior to purchasing the
12 ASIC devices that are the subject of this action. The Ninth Circuit employs the
13 “but-for” test in deciding whether an alleged contact with the forum state meets the
14 nexus element of the three-pronged specific jurisdiction analysis. *Erickson v. Neb.*
15 *Mach. Co.*, 2015 WL 4089849, at *4 (N.D. Cal. July 6, 2015) (Donato, J.) (“The
16 Ninth Circuit has held that claims ‘arise out of’ contacts with the forum state if, but
17 for those contacts, the claim would not have arisen.”). If Plaintiff did not view the
18 Facebook.com pages prior to his purchases of ASIC devices that are the subject of
19 this action, then his claims could not have “arisen out of” this alleged contact with
20 the forum state. Accordingly, Bitmain Hong Kong will not produce documents
21 responsive to this Request unless and until Plaintiff produces evidence sufficient to
22 demonstrate that his claims arise from the Facebook.com pages, and thus that
23 information about the Facebook.com pages is necessary to establish whether
24 jurisdiction exists over Bitmain Hong Kong. Bitmain Hong Kong further objects
25 to this Request to the extent that it is vague and ambiguous in that it does not
26 define certain terms with reasonable particularity. Specifically, the references to
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1 “DOCUMENTS,” “entities,” and “persons” are uncertain, indefinite, and unclear;
2 and the terms “entities” and “persons” are undefined.

3 Subject to and without waiving the foregoing general and specific objections
4 and objections to definitions and instructions, Bitmain Hong Kong is willing to
5 meet and confer with Plaintiff on how documents responsive to this request would
6 establish jurisdiction and, if appropriate, what scope and form the production of
7 responsive documents or information should take.

8 **REQUEST FOR PRODUCTION NO. 9:**

9 DOCUMENTS sufficient to identify the volume of sales of Bitmain ASIC
10 devices to purchasers in the state of California.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

12 Bitmain Hong Kong incorporates by reference each of the above stated
13 general objections as if fully set forth herein. Bitmain Hong Kong objects to this
14 Request to the extent it seeks documents containing information protected by the
15 attorney-client privilege, the work product doctrine, and/or any other applicable
16 privilege. Bitmain Hong Kong further objects to this Request on the grounds that
17 it is overly broad and seeks information not proportional to the needs of the case to
18 the extent it seeks documents beyond what is necessary to establish whether
19 jurisdiction exists over Bitmain Hong Kong. Bitmain Hong Kong further objects
20 to this Request to the extent that it is vague and ambiguous in that it does not
21 define certain terms with reasonable particularity. Specifically, the references to
22 “DOCUMENTS,” “volume of sales,” “Bitmain,” and “ASIC devices” are
23 uncertain, indefinite, and unclear; and the terms “volume of sales” and “ASIC
24 devices” are undefined.

25 Subject to and without waiving the foregoing general and specific objections
26 and objections to definitions and instructions, Bitmain Hong Kong responds that,
27 to the extent they exist and are in Bitmain Hong Kong’s possession, custody, or
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1 control, Bitmain Hong Kong will produce documents responsive to this Request
2 sufficient to show the volume of sales of ASIC devices to purchasers in the state of
3 California.

4 **REQUEST FOR PRODUCTION NO. 10:**

5 DOCUMENTS sufficient to identify the gross revenue generated from sales
6 of Bitmain ASIC devices to purchasers in the state of California.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

8 Bitmain Hong Kong incorporates by reference each of the above stated
9 general objections as if fully set forth herein. Bitmain Hong Kong objects to this
10 Request to the extent it seeks documents containing information protected by the
11 attorney-client privilege, the work product doctrine, and/or any other applicable
12 privilege. Bitmain Hong Kong further objects to this Request on the grounds that
13 it is overly broad and seeks information not proportional to the needs of the case to
14 the extent it seeks documents beyond what is necessary to establish whether
15 jurisdiction exists over Bitmain Hong Kong. Bitmain Hong Kong further objects
16 to this Request to the extent that it is vague and ambiguous in that it does not
17 define certain terms with reasonable particularity. Specifically, the references to
18 “DOCUMENTS,” “volume of sales,” “Bitmain,” and “ASIC devices” are
19 uncertain, indefinite, and unclear; and the terms “volume of sales” and “ASIC
20 devices” are undefined.

21 Subject to and without waiving the foregoing general and specific objections
22 and objections to definitions and instructions, Bitmain Hong Kong responds that,
23 to the extent they exist and are in Bitmain Hong Kong’s possession, custody, or
24 control, Bitmain Hong Kong will produce documents responsive to this Request
25 that are sufficient to show the gross revenue generated from sales of ASIC devices
26 to purchasers in the state of California.

REQUEST FOR PRODUCTION NO. 11:

DOCUMENTS sufficient to identify all of the individuals, and the companies they are employed by, with access to the following email accounts:

hr.hk@bitmain.com, sales.ncsa@bitmain.com, and webmaster@bitmaintech.com.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

Bitmain Hong Kong incorporates by reference each of the above stated general objections as if fully set forth herein. Bitmain Hong Kong objects to this Request to the extent it seeks documents containing information protected by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege. Bitmain Hong Kong further objects to this Request on the grounds that it is overly broad and seeks information not proportional to the needs of the case to the extent it seeks documents beyond what is necessary to establish whether jurisdiction exists over Bitmain Hong Kong. Specifically, this Request seeks information about email accounts, yet nothing in the record suggests Plaintiff ever corresponded with the email accounts prior to (or after) purchasing the ASIC devices that are the subject of this action. The Ninth Circuit employs the “but-for” test in deciding whether an alleged contact with the forum state meets the nexus element of the three-pronged specific jurisdiction analysis. *Erickson v. Neb. Mach. Co.*, 2015 WL 4089849, at *4 (N.D. Cal. July 6, 2015) (Donato, J.) (“The Ninth Circuit has held that claims ‘arise out of’ contacts with the forum state if, but for those contacts, the claim would not have arisen.”). If Plaintiff did not correspond with the email accounts prior to his purchases of ASIC devices that are the subject of this action, then his claims could not have “arisen out of” this alleged contact with the forum state. Accordingly, Bitmain Hong Kong will not produce documents responsive to this Request unless and until Plaintiff produces evidence sufficient to demonstrate that his claims arise from the email accounts, and thus that information about the email accounts is necessary to establish whether

jurisdiction exists over Bitmain Hong Kong. Bitmain Hong Kong further objects to this Request to the extent that it is vague and ambiguous in that it does not define certain terms with reasonable particularity. Specifically, the references to “DOCUMENTS,” “employed,” and “access” are uncertain, indefinite, and unclear; and the terms “employed” and “access” are undefined.

Subject to and without waiving the foregoing general and specific objections and objections to definitions and instructions, Bitmain Hong Kong is willing to meet and confer with Plaintiff on how documents responsive to this request would establish jurisdiction and, if appropriate, what scope and form the production of responsive documents or information should take.

REQUEST FOR PRODUCTION NO. 12:

All COMMUNICATIONS between YOU and PLAINTIFF.

RESPONSE TO REQUEST FOR PRODUCTION NO. 12:

Bitmain Hong Kong incorporates by reference each of the above stated general objections as if fully set forth herein. Bitmain Hong Kong objects to this Request on the grounds that it is overly broad and seeks information not proportional to the needs of the case to the extent it seeks documents beyond what is necessary to establish whether jurisdiction exists over Bitmain Hong Kong. Bitmain Hong Kong further objects to this Request to the extent that it is vague and ambiguous in that it does not define certain terms with reasonable particularity. Specifically, the references to “COMMUNICATIONS” and “YOU” are uncertain, indefinite, and unclear. Bitmain Hong Kong further objects to this Request on the grounds that it is overly broad and unduly burdensome to the extent it seeks documents already in the possession, custody, or control of Plaintiff.

Subject to and without waiving the foregoing general and specific objections and objections to definitions and instructions, Bitmain Hong Kong responds that, to the extent they exist and are in Bitmain Hong Kong’s possession, custody, or

1 control, Bitmain Hong Kong will produce communications between Bitmain Hong
2 Kong and Plaintiff.

3 **REQUEST FOR PRODUCTION NO. 13:**

4 All DOCUMENTS CONCERNING PLAINTIFF'S purchases of any ASIC
5 devices from YOU, including but not limited to all purchase invoices and shipping
6 invoices.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

8 Bitmain Hong Kong incorporates by reference each of the above stated
9 general objections as if fully set forth herein. Bitmain Hong Kong objects to this
10 Request to the extent it seeks documents containing information protected by the
11 attorney-client privilege, the work product doctrine, and/or any other applicable
12 privilege. Bitmain Hong Kong further objects to this Request on the grounds that
13 it is overly broad and seeks information not proportional to the needs of the case to
14 the extent it seeks documents beyond what is necessary to establish whether
15 jurisdiction exists over Bitmain Hong Kong. Bitmain Hong Kong further objects
16 to this Request to the extent that it is vague and ambiguous in that it does not
17 define certain terms with reasonable particularity. Specifically, the references to
18 "DOCUMENTS," "ASIC devices," and "YOU" are uncertain, indefinite, and
19 unclear; and the term "ASIC devices" is undefined. Bitmain Hong Kong further
20 objects to this Request on the grounds that it is overly broad and unduly
21 burdensome to the extent it seeks documents already in the possession, custody, or
22 control of Plaintiff.

23 Subject to and without waiving the foregoing general and specific objections
24 and objections to definitions and instructions, Bitmain Hong Kong responds that,
25 to the extent they exist and are in Bitmain Hong Kong's possession, custody, or
26 control, Bitmain Hong Kong will produce documents responsive to this Request
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1 that are sufficient to show Plaintiff's purchases of ASIC devices from Bitmain
2 Hong Kong.

3 **REQUEST FOR PRODUCTION NO. 14:**

4 All DOCUMENTS CONCERNING YOUR lease or ownership of any real
5 property in the State of California, including but not limited to lease and/or
6 purchase agreements for the properties located at 300 Park Ave, STE 300, San Jose,
7 CA 95110, and at 4231 Business Center Drive Suite 8, Fremont, CA 94538.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

9 Bitmain Hong Kong incorporates by reference each of the above stated
10 general objections as if fully set forth herein. Bitmain Hong Kong objects to this
11 Request to the extent it seeks documents containing information protected by the
12 attorney-client privilege, the work product doctrine, and/or any other applicable
13 privilege. Bitmain Hong Kong further objects to this Request on the grounds that
14 it is overly broad and seeks information not proportional to the needs of the case to
15 the extent it seeks documents beyond what is necessary to establish whether
16 jurisdiction exists over Bitmain Hong Kong. Specifically, this Request seeks
17 information about properties located at 300 Park Ave, STE 300, San Jose, CA
18 95110, and at 4231 Business Center Drive Suite 8, Fremont, CA 94538, yet nothing
19 in the record suggests Plaintiff ever visited or was otherwise connected with those
20 properties prior to purchasing the ASIC devices that are the subject of this action.
21 The Ninth Circuit employs the "but-for" test in deciding whether an alleged
22 contact with the forum state meets the nexus element of the three-pronged specific
23 jurisdiction analysis. *Erickson v. Neb. Mach. Co.*, 2015 WL 4089849, at *4 (N.D.
24 Cal. July 6, 2015) (Donato, J.) ("The Ninth Circuit has held that claims 'arise out
25 of' contacts with the forum state if, but for those contacts, the claim would not
26 have arisen."). If Plaintiff did not visit or otherwise have some connection to the
27 properties located at 300 Park Ave, STE 300, San Jose, CA 95110, and at 4231
28

1 Business Center Drive Suite 8, Fremont, CA 94538 prior to his purchases of ASIC
 2 devices that are the subject of this action, then his claims could not have “arisen
 3 out of” this alleged contact with the forum state. Accordingly, Bitmain Hong
 4 Kong will not produce documents responsive to this Request unless and until
 5 Plaintiff produces evidence sufficient to demonstrate that his claims arise from the
 6 properties located at 300 Park Ave, STE 300, San Jose, CA 95110, and at 4231
 7 Business Center Drive Suite 8, Fremont, CA 94538, and thus that information
 8 about these properties is necessary to establish whether jurisdiction exists over
 9 Bitmain Hong Kong. Bitmain Hong Kong further objects to this Request to the
 10 extent that it is vague and ambiguous in that it does not define certain terms with
 11 reasonable particularity. Specifically, the references to “DOCUMENTS” and
 12 “YOUR” are uncertain, indefinite, and unclear. Bitmain Hong Kong further
 13 objects to this Request to the extent it implies the existence of facts or
 14 circumstances that do not or did not exist. Specifically, this Request incorrectly
 15 assumes that Bitmain Technologies, Ltd.—the defendant in this action—leases or
 16 owns property in California.

17 Subject to and without waiving the foregoing general and specific objections
 18 and objections to definitions and instructions, Bitmain Hong Kong is willing to
 19 meet and confer with Plaintiff on how documents responsive to this request would
 20 establish jurisdiction and, if appropriate, what scope and form the production of
 21 responsive documents or information should take.

22 **REQUEST FOR PRODUCTION NO. 15:**

23 DOCUMENTS sufficient to identify all of the entities or persons that created,
 24 maintained, and/or provided content for the following websites: bitmain.com,
 25 blog.bitmain.com and/or bitmaintech.com.

RESPONSE TO REQUEST FOR PRODUCTION NO. 15:

Bitmain Hong Kong incorporates by reference each of the above stated general objections as if fully set forth herein. Bitmain Hong Kong objects to this Request to the extent it seeks documents containing information protected by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege. Bitmain Hong Kong further objects to this Request on the grounds that it is overly broad and seeks information not proportional to the needs of the case to the extent it seeks documents beyond what is necessary to establish whether jurisdiction exists over Bitmain Hong Kong. Specifically, this Request seeks information about the websites blog.bitmain.com and bitmaintech.com, yet nothing in the record suggests Plaintiff ever visited these websites prior to or after purchasing the ASIC devices that are the subject of this action. The Ninth Circuit employs the “but-for” test in deciding whether an alleged contact with the forum state meets the nexus element of the three-pronged specific jurisdiction analysis. *Erickson v. Neb. Mach. Co.*, 2015 WL 4089849, at *4 (N.D. Cal. July 6, 2015) (Donato, J.) (“The Ninth Circuit has held that claims ‘arise out of’ contacts with the forum state if, but for those contacts, the claim would not have arisen.”). If Plaintiff did not visit the websites blog.bitmain.com and bitmaintech.com prior to or after his purchases of ASIC devices that are the subject of this action, then his claims could not have “arisen out of” this alleged contact with the forum state. Accordingly, Bitmain Hong Kong will not produce documents responsive to this Request unless and until Plaintiff produces evidence sufficient to demonstrate that his claims arise from the websites blog.bitmain.com and bitmaintech.com, and thus that information about the email accounts is necessary to establish whether jurisdiction exists over Bitmain Hong Kong. Bitmain Hong Kong further objects to this Request to the extent that it is vague and ambiguous in that it does not define certain terms with reasonable particularity. Specifically, the references to

1 “DOCUMENTS,” “entities,” and “persons” are uncertain, indefinite, and unclear;
2 and the terms “entities” and “persons” are undefined.

3 Subject to and without waiving the foregoing general and specific objections
4 and objections to definitions and instructions, Bitmain Hong Kong responds that,
5 to the extent they exist and are in Bitmain Hong Kong’s possession, custody, or
6 control, Bitmain Hong Kong will produce documents responsive to the Request
7 that are sufficient to identify the entities were responsible for creating, maintaining,
8 and/or providing content for the website <http://www.bitmain.com/>. Also, subject to
9 and without waiving the foregoing general and specific objections and objections to
10 definitions and instructions, Bitmain Hong Kong is willing to meet and confer with
11 Plaintiff on how documents responsive to this request regarding the websites
12 blog.bitmain.com and/or bitmaintech.com would establish jurisdiction and, if
13 appropriate, what scope and form the production of responsive documents or
14 information should take.

15 **REQUEST FOR PRODUCTION NO. 16:**

16 All executed contracts for vendors or event space for the California Crypto
17 Mining Forum held on August 31, 2019 in San Jose, California.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

19 Bitmain Hong Kong incorporates by reference each of the above stated
20 general objections as if fully set forth herein. Bitmain Hong Kong objects to this
21 Request to the extent it seeks documents containing information protected by the
22 attorney-client privilege, the work product doctrine, and/or any other applicable
23 privilege. Bitmain Hong Kong further objects to this Request on the grounds that
24 it is overly broad and seeks information not proportional to the needs of the case to
25 the extent it seeks documents beyond what is necessary to establish whether
26 jurisdiction exists over Bitmain Hong Kong. Specifically, this Request seeks
27 information about the California Crypto Mining Forum, yet nothing in the record
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1 suggests Plaintiff purchased any ASIC devices that are the subject of this action
2 after the California Crypto Mining Forum held on August 31, 2019. The Ninth
3 Circuit employs the “but-for” test in deciding whether an alleged contact with the
4 forum state meets the nexus element of the three-pronged specific jurisdiction
5 analysis. *Erickson v. Neb. Mach. Co.*, 2015 WL 4089849, at *4 (N.D. Cal. July 6,
6 2015) (Donato, J.) (“The Ninth Circuit has held that claims ‘arise out of’ contacts
7 with the forum state if, but for those contacts, the claim would not have arisen.”).
8 If Plaintiff did not purchase any ASIC devices that are the subject of this action
9 after the California Crypto Mining Forum held on August 31, 2019, then his claims
10 could not have “arisen out of” this alleged contact with the forum state. *Anaya v.*
11 *Machines de Triage et Broyage*, 2019 WL 1083783, at *5 (N.D. Cal. Mar. 7, 2019)
12 (disregarding conduct after the alleged event giving rise to underlying dispute and
13 granting motion to dismiss for lack of personal jurisdiction). Accordingly, Bitmain
14 Hong Kong will not produce documents responsive to this Request unless and until
15 Plaintiff produces evidence sufficient to demonstrate that his claims arise from the
16 California Crypto Mining Forum held on August 31, 2019, and thus that
17 information about the California Crypto Mining Forum held on August 31, 2019 is
18 necessary to establish whether jurisdiction exists over Bitmain Hong Kong.
19 Bitmain Hong Kong further objects to this Request to the extent that it is vague
20 and ambiguous in that it does not define certain terms with reasonable
21 particularity. Specifically, the references to “vendors” and “event space” are
22 undefined, uncertain, indefinite, and unclear.

23 Subject to and without waiving the foregoing general and specific objections
24 and objections to definitions and instructions, Bitmain Hong Kong is willing to
25 meet and confer with Plaintiff on how documents responsive to this request would
26 establish jurisdiction and, if appropriate, what scope and form the production of
27 responsive documents or information should take.

REQUEST FOR PRODUCTION NO. 17:

All DOCUMENTS CONCERNING the nature of YOUR relationship to the entity referenced in the LUI DECLARATION named “Beijing Bitmain Technology Co., Ltd.”

RESPONSE TO REQUEST FOR PRODUCTION NO. 17:

Bitmain Hong Kong incorporates by reference each of the above stated general objections as if fully set forth herein. Bitmain Hong Kong objects to this Request to the extent it seeks documents containing information protected by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege. Bitmain Hong Kong further objects to this Request on the grounds that it is overly broad and seeks information not proportional to the needs of the case to the extent it seeks documents beyond what is necessary to establish whether jurisdiction exists over Bitmain Hong Kong and to demonstrate whether an alter ego relationship exists between Bitmain Technologies, Ltd.—the defendant in this action—and Beijing Bitmain Technology Co., Ltd. for specific jurisdiction purposes. Bitmain Hong Kong further objects to this Request to the extent that it is vague and ambiguous in that it does not define certain terms with reasonable particularity. Specifically, the references to “DOCUMENTS” and “relationship” are uncertain, indefinite, and unclear; and the term “relationship” is undefined. Also, the term “YOUR,” as defined, includes Beijing Bitmain Technology Co., Ltd., thus to the extent the Request seeks documents concerning the relationship between Beijing Bitmain Technology Co., Ltd. and itself, it is uncertain, indefinite, and unclear.

Subject to and without waiving the foregoing general and specific objections and objections to definitions and instructions, Bitmain Hong Kong responds that, to the extent they exist and are in Bitmain Hong Kong’s possession, custody, or control, Bitmain Hong Kong will produce documents that are sufficient to

1 demonstrate the organizational relationship between Bitmain Technologies, Ltd.—
 2 the defendant in this action—and Beijing Bitmain Technology Co., Ltd.

3 **REQUEST FOR PRODUCTION NO. 18:**

4 All DOCUMENTS CONCERNING the nature of YOUR relationship to the
 5 entity referenced in the LUI DECLARATION named “Shenzen [sic] Century
 6 Cloud Core Technology Co., Ltd.”

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

8 Bitmain Hong Kong incorporates by reference each of the above stated
 9 general objections as if fully set forth herein. Bitmain Hong Kong objects to this
 10 Request to the extent it seeks documents containing information protected by the
 11 attorney-client privilege, the work product doctrine, and/or any other applicable
 12 privilege. Bitmain Hong Kong further objects to this Request on the grounds that
 13 it is overly broad and seeks information not proportional to the needs of the case to
 14 the extent it seeks documents beyond what is necessary to establish whether
 15 jurisdiction exists over Bitmain Hong Kong and to demonstrate whether an alter
 16 ego relationship exists between Bitmain Technologies, Ltd.—the defendant in this
 17 action—and Shenzhen Century Cloud Core Technology Co., Ltd. for specific
 18 jurisdiction purposes. Bitmain Hong Kong further objects to this Request to the
 19 extent that it is vague and ambiguous in that it does not define certain terms with
 20 reasonable particularity. Specifically, the references to “DOCUMENTS” and
 21 “relationship” are uncertain, indefinite, and unclear; and the term “relationship” is
 22 undefined. Also, the term “YOUR,” as defined, includes Shenzhen Century Cloud
 23 Core Technology Co., Ltd., thus to the extent the Request seeks documents
 24 concerning the relationship between Shenzhen Century Cloud Core Technology
 25 Co., Ltd. and itself, it is uncertain, indefinite, and unclear.

26 Subject to and without waiving the foregoing general and specific objections
 27 and objections to definitions and instructions, Bitmain Hong Kong responds that,
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1 to the extent they exist and are in Bitmain Hong Kong’s possession, custody, or
 2 control, it will produce documents that are sufficient to demonstrate the
 3 organizational relationship between Bitmain Technologies, Ltd.—the defendant in
 4 this action—and Shenzhen Century Cloud Core Technology Co., Ltd.

5 **REQUEST FOR PRODUCTION NO. 19:**

6 All DOCUMENTS CONCERNING YOUR corporate structure, including all
 7 members of your Board of Directors.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

9 Bitmain Hong Kong incorporates by reference each of the above stated
 10 general objections as if fully set forth herein. Bitmain Hong Kong objects to this
 11 Request to the extent it seeks documents containing information protected by the
 12 attorney-client privilege, the work product doctrine, and/or any other applicable
 13 privilege. Bitmain Hong Kong further objects to this Request on the grounds that
 14 it is overly broad and seeks information not proportional to the needs of the case to
 15 the extent it seeks documents beyond what is necessary to establish whether
 16 jurisdiction exists over Bitmain Hong Kong. Bitmain Hong Kong further objects
 17 to this Request to the extent that it is vague and ambiguous in that it does not
 18 define certain terms with reasonable particularity. Specifically, the references to
 19 “DOCUMENTS” and “corporate structure” are uncertain, indefinite, and unclear;
 20 and the term “corporate structure” is undefined.

21 Subject to and without waiving the foregoing general and specific objections
 22 and objections to definitions and instructions, Bitmain Hong Kong responds that,
 23 to the extent they exist and are in Bitmain Hong Kong’s possession, custody, or
 24 control, it will produce documents responsive to this Request that are sufficient to
 25 show the board of directors of Bitmain Hong Kong.

REQUEST FOR PRODUCTION NO. 20:

All DOCUMENTS, not otherwise requested or produced, that establish the relationship between YOU and Beijing Bitmain Technology Co., Ltd. and Shenzhen, [sic] Century Cloud Core Technology, Co.

RESPONSE TO REQUEST FOR PRODUCTION NO. 20:

Bitmain Hong Kong incorporates by reference each of the above stated general objections as if fully set forth herein. Bitmain Hong Kong objects to this Request to the extent it seeks documents containing information protected by the attorney-client privilege, the work product doctrine, and/or any other applicable privilege. Bitmain Hong Kong further objects to this Request to the extent it is duplicative of Request Nos. 17 and 18 above. Bitmain Hong Kong further objects to this Request on the grounds that it is overly broad and seeks information not proportional to the needs of the case to the extent it seeks documents beyond what is necessary to establish whether jurisdiction exists over Bitmain Hong Kong and to demonstrate whether an alter ego relationship exists between Bitmain Technologies, Ltd.—the defendant in this action—and Beijing Bitmain Technology Co., Ltd. and Shenzhen Century Cloud Core Technology Co., Ltd. for specific jurisdiction purposes. Bitmain Hong Kong further objects to this Request to the extent that it is vague and ambiguous in that it does not define certain terms with reasonable particularity. Specifically, the references to “DOCUMENTS” and “relationship” are uncertain, indefinite, and unclear; and the term “relationship” is undefined. Also, the term “YOUR,” as defined, includes Beijing Bitmain Technology Co., Ltd. and Shenzhen Century Cloud Core Technology Co., Ltd., thus to the extent the Request seeks documents concerning the relationship between Beijing Bitmain Technology Co., Ltd. or Shenzhen Century Cloud Core Technology Co., Ltd. and itself, it is uncertain, indefinite, and unclear.

1 Subject to and without waiving the foregoing general and specific objections
 2 and objections to definitions and instructions, Bitmain Hong Kong responds that,
 3 to the extent they exist and are in Bitmain Hong Kong's possession, custody, or
 4 control, it will produce documents that are sufficient to demonstrate the
 5 organizational relationship between Bitmain Technologies, Ltd.—the defendant in
 6 this action—and Beijing Bitmain Technology Co., Ltd. and Shenzhen Century
 7 Cloud Core Technology Co., Ltd.

8 **REQUEST FOR PRODUCTION NO. 21:**

9 All DOCUMENTS, not otherwise requested or produced, that evidence, refer
 10 to or relate to any connection between YOU and the State of California.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 21:**

12 Bitmain Hong Kong incorporates by reference each of the above stated
 13 general objections as if fully set forth herein. Bitmain Hong Kong objects to this
 14 Request to the extent it seeks documents containing information protected by the
 15 attorney-client privilege, the work product doctrine, and/or any other applicable
 16 privilege. Specifically, this Request calls for a legal conclusion and privileged
 17 attorney work product by seeking information that would require Bitmain Hong
 18 Kong and its counsel to conduct legal analysis to determine whether any
 19 connections between Bitmain Hong Kong and California—if they existed—were
 20 relevant to this action. Accordingly, Bitmain Hong Kong will not provide
 21 documents responsive to this Request. Bitmain Hong Kong further objects to this
 22 Request on the grounds that it is overly broad and seeks information not
 23 proportional to the needs of the case to the extent it seeks documents beyond what
 24 is beyond what is necessary to establish whether jurisdiction exists over Bitmain
 25 Hong Kong. Bitmain Hong Kong further objects to this Request to the extent that
 26 it is vague and ambiguous in that it does not define certain terms with reasonable
 27 particularity. Specifically, the references to “DOCUMENTS,” “connections,” and
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1 “YOU” are uncertain, indefinite, and unclear; and the term “connections” is
2 undefined.

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4 Dated: February 18, 2020

5 O'MELVENY & MYERS LLP

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7 By: 
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9 Attorneys for Defendant
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CERTIFICATION OF SERVICE

I certify that on February 18, 2020, I caused to be served the within document titled Defendant Bitmain Technologies, Ltd.'s Responses and Objections to Plaintiff Gor Gevorkyan's First Set of Requests for Production of Documents Pursuant to Fed. R. Civ. P. 34 by mailing copies of same via U.S. mail to the individuals listed below in the service list.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 18, 2020, at Los Angeles, California.

/s/ William K. Pao

SERVICE LIST

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